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11
12 **IN THE UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

13 CALIFORNIA COALITION FOR WOMEN
14 PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.;
15 G.M.; A.S.; and L.T., individuals on behalf of
themselves and all others similarly situated,

16 Plaintiffs

17 v.

18 UNITED STATES OF AMERICA FEDERAL
BUREAU OF PRISONS, a governmental entity;
19 BUREAU OF PRISONS DIRECTOR
COLETTE PETERS, in her official capacity;
20 FCI DUBLIN WARDEN THAHESHA JUSINO,
in her official capacity; OFFICER
21 BELLHOUSE, in his individual capacity;
OFFICER GACAD, in his individual capacity;
22 OFFICER JONES, in his individual capacity;
LIEUTENANT JONES, in her individual
23 capacity; OFFICER LEWIS, in his individual
capacity; OFFICER NUNLEY, in his individual
24 capacity; OFFICER POOL, in his individual
capacity; LIEUTENANT PUTNAM, in his
25 individual capacity; OFFICER SERRANO, in
his individual capacity; OFFICER SHIRLEY, in
26 his individual capacity; OFFICER SMITH, in his
individual capacity; and OFFICER VASQUEZ,
in her individual capacity,

27 Defendants.

CASE NO. 4:23-CV-04155-YGR

**UNITED STATES' ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER
SEAL**

1 Pursuant to Civil Local Rules 79-5 of the United States District Court for the Northern District of
2 California, the United States of America files this motion requesting to file documents under seal.

3 Good cause exists for this request. As grounds for this administrative motion, the United States
4 has satisfied Civil Local Rule 7-10, which requires:

5 (1) a specific statement of the applicable legal standard and the reasons for
6 keeping a document under seal, including an explanation of: (i) the legitimate private or
7 public interests that warrant sealing; (ii) the injury that will result if sealing is denied; and
8 (iii) why a less restrictive alternative to sealing is not sufficient;

9 (2) evidentiary support from declarations where necessary; and

10 (3) a proposed order that is narrowly tailored to seal only the sealable material,
11 and which lists in table format each document or portion thereof that is sought to be
12 sealed. Civil Local Rule 7-10(c).

13 Initially, even setting aside other legitimate reasons the documents at issue should be
14 sealed, during the February 27, 2024 hearing, the Court requested information regarding
15 procedures for reporting incidents and how those procedures apply to one specific sexual
16 misconduct allegation. During that conversation, the Court specified that the relevant
17 information may be filed under seal. Thus, filing under seal is appropriate.

18 Additionally, the Privacy Act prohibits an agency from “disclos[ing] any record which is
19 contained in a system of records by any means of communication to any person, or to another
20 agency, except pursuant to a written request by, or with the prior written consent of, the
21 individual to whom the record pertains.” 5 U.S.C. § 552a(b). A record, in turn, is defined as “any
22 item, collection, or grouping of information about an individual that is maintained by an agency,
23 including, but not limited to, his . . . medical history, and criminal or employment history and
24 that contains his name, or the identifying number, symbol, or other identifying particular
25 assigned to the individual.” The documents the United States seeks to file under seal—a
26 declaration from Beth Reese—contain private information about an individual that the United
27 States does not have permission to publicly disclose.

28 Sealing the documents containing private information of individuals is the narrowest way
to protect such information. Any disclosure at all would violate the Privacy Act.

1 The proposed order is narrowly tailored, as it only seeks to seal declarations related to
2 this narrow issue about which the Court requested information.

3 Therefore, to ensure continued security of the institution and ensure that individual's private
4 information remains private, the United States requests that the Court enter an order under Civil Local
5 Rule 79-5 to place the following documents filed March 7, 2024 under seal:

Document and Portion of Document to be Sealed	Evidence in Support of Sealing	Ruling
Beth Reese Second Declaration	5 U.S.C. § 552a (Privacy Act); Court's February 27, 2024 Hearing Statements	

11 WHEREFORE, the United States respectfully requests that the Court grant this Administrative
12 Motion and enter the attached proposed order sealing the United States' documents.

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14 DATED this 7th day of March, 2024.

15 JESSE A. LASLOVICH
16 United States Attorney

17 */s/ Madison L. Mattioli*
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